

UTAH COLLEGE OF APPLIED TECHNOLOGY

AGENDA ITEM

UCAT BOARD OF TRUSTEES

6 April 2016

ITEM: III.R

TOPIC: 2016 Legislative Session Review

BACKGROUND

The General Session of the Utah Legislature concluded on March 11, 2016. A review of the impact of legislative action on UCAT and the eight campuses will be led by Acting President Haines.

Funding: The legislature funded on-going increases in FY 2017 for compensation, health insurance, campus program expansion, equipment, and Custom Fit. One-time funds were appropriated for certain capital development projects and for a disability scholarship program. A table is attached summarizing UCAT's budget request and what was funded.

Legislative Intent Language: [House Bill 2](#) (Items 94 through 102) included the following intent language.

The Legislature intends that the Utah College of Applied Technology determines and adopts a clear policy to ensure that reporting of student completions, certificates, and upgrades are uniform across all campuses when they are reported to the Legislature. The Legislature further intends that for the 2017 General Session, the Utah College of Applied Technology reports to the Higher Education Appropriations Subcommittee separate and segregated data for each of the following categories: (1) certificate-seeking students, (2) occupational upgrade students, (3) other postsecondary students, and (4) secondary students.

Senate Bill 131 (Utah College of Applied Technology Governance Amendments): [SB 131](#) provides for adjustments to the title and duties of the UCAT President, the naming of UCAT campuses, the appointment of UCAT Board of Trustees members and officers, and the titles and selection of UCAT campus presidents. The impact of SB 131 was considered by the Board in a special meeting on March 23, 2016. A summary of provisions, which was also provided in the special meeting, is attached for reference.

Legislation: A summary of selected bills that have some relevance to UCAT and the campuses is provided for Board members to review.

RECOMMENDATIONS

Information/discussion

Attachments:

Legislative Funding Summary – FY 2017

SB 131 Summary of Provisions

2016 Legislative Session – Summary of Bills Relevant to UCAT



UCAT Legislative Funding - Fiscal Year 2017

	Requested	Funded	Percent
Ongoing Priorities			
Compensation	\$2,172,500	\$1,561,300	71.9%
Campus Program Expansion (Sum of breakouts below)	\$9,046,400	\$2,988,900	33.0%
<i>BATC</i>	<i>\$1,046,400</i>	<i>\$313,900</i>	30.0%
<i>DATC</i>	<i>\$1,210,000</i>	<i>\$363,000</i>	30.0%
<i>DXATC</i>	<i>\$1,685,000</i>	<i>\$780,500</i>	46.3%
<i>MATC</i>	<i>\$1,320,000</i>	<i>\$396,000</i>	30.0%
<i>OWATC</i>	<i>\$1,170,000</i>	<i>\$351,000</i>	30.0%
<i>SWATC</i>	<i>\$865,000</i>	<i>\$259,500</i>	30.0%
<i>TATC</i>	<i>\$800,000</i>	<i>\$240,000</i>	30.0%
<i>UBATC</i>	<i>\$950,000</i>	<i>\$285,000</i>	30.0%
Performance-Based Funding	\$1,000,000	\$0	0.0%
Ongoing Equipment Upgrade & Replacement	\$1,200,000	\$600,000	50.0%
Custom Fit	\$3,159,200	\$800,000	25.3%
UCAT Information System Maintenance and Expansion	\$250,000	\$0	0.0%
UCAT Marketing and Messaging Fund	\$400,000	\$0	0.0%
In-house Legal Counsel	\$120,000	\$0	0.0%
One-Time Priorities			
One-Time Equipment	\$3,000,000	\$0	0.0%
Financial Aid Package	\$400,000	\$0	0.0%
Other			
OWATC Business Depot Ogden Buildout	\$6,340,400	\$6,586,500	103.9%
Ongoing O&M (Held back for this Fiscal Year)	\$336,200	\$336,200	100.0%
TATC Education & Economic Development Land	\$525,000	\$525,000	100.0%
SWATC Disability Scholarship	N/A	\$200,000	N/A

SENATE BILL 131 (2016 GENERAL SESSION)
UTAH COLLEGE OF APPLIED TECHNOLOGY
GOVERNANCE AMENDMENTS
SUMMARY OF PROVISIONS

March 15, 2016

(link to SB 131: <http://le.utah.gov/~2016/bills/static/SB0131.html>)

1. UCAT Commissioner of Technical Education:

- a. UCAT president is redesignated “Utah College of Applied Technology commissioner of technical education” (53B-2a-101(3) and throughout statute).
- b. Detailed duties are removed from statute (formerly 53B-2a-102(2)), and are assigned to the Board to be prescribed (53B-2a-102(2)(b) and (3)).
- c. Appointment of interim/acting commissioner during leave of absence requires Senate consent (53B-2a-102(1)(d)).

2. Applied Technology Colleges (53B-2a-101(1) and throughout statute): UCAT “campus” is redesignated “applied technology college”, including board of directors and president.

3. UCAT Board of Trustees Membership (53B-2a-103(3) and (4)):

- a. All 15 voting members will be appointed by the governor with Senate consent.
- b. Members serve four-year terms (no change), but are now limited to two consecutive terms.
- c. Current voting members will serve until their current terms expire (2017 or 2019). Members who have already served two or more full consecutive terms by May 10, 2016, will be replaced on that date.
- d. For members representing **the eight ATCs**, the governor will select from at least two nominees presented by the ATC board of directors. (An earlier version of the bill restricted a trustee from serving simultaneously on an ATC board: this provision was removed from the final bill.)
- e. For **the other seven** voting members, the governor will appoint a representative of each of the following sectors: information technology, manufacturing, life sciences, health care, transportation, union trade/apprenticeship, non-union trade/apprenticeship. At least four of the seven must be from ATC regions, with no more than two from any ATC region.
- f. The **Board of Regents** chair will continue to appoint a Regent as a non-voting member, who is not subject to the two-term limit.
- g. The current **Board of Education** member will remain on the board until June 30, 2019.
- h. By July 1, 2019, the Board will be fully transitioned to the new structure.

4. UCAT Board of Trustees Officers (53B-2a-103(8)(b)): The board chair and vice chair are limited to two consecutive two-year terms.

5. Applied Technology College Presidents (53B-2a-107(1)): Appointment, evaluation, retention, and compensation of ATC presidents is changed from the UCAT president to the UCAT board of trustees, in cooperation with the ATC board of directors. The board of trustees is to establish a policy for appointing a president using a search process with certain statutory parameters.

UTAH COLLEGE OF APPLIED TECHNOLOGY
2016 LEGISLATIVE SESSION
SUMMARY OF SELECTED BILLS RELEVANT TO UCAT
April 1, 2016

HB 53 (Westwood)

Passed

BUSINESS RESOURCE AMENDMENTS

Repeals the Utah Business Assistance Advisory Board; allows GOED to convene an advisory group as needed to make recommendations for business resource center improvements; provides certain rulemaking authority to GOED.

HB 93 (Froerer)

Passed

ORGAN DONOR AMENDMENTS

Requires an institution of higher education to distribute by electronic message certain information regarding organ donation.

HB 100 (Schultz)

Passed

EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT

Enacts the EMS Personnel Licensure Interstate Compact to provide Utah certification for EMTs and paramedics certified in other states and military.

HB 109 (Cox)

(not considered after House 1st Reading)

CONSTRUCTION TRADES EDUCATION AMENDMENTS

Modifies the continuing education requirements for certain contractor licensees.

HB 112 (Sandall)

Passed

CONTINUING EDUCATION FOR CONTRACTOR LICENSING AMENDMENTS

Provides that an approved contractor continuing education program may include a course approved by certain entities; provides that an approved contractor continuing education program may include a course offered by: a state executive branch agency, the Workers' Compensation Fund, or a state or nationally accredited college or university with a campus in the state; provides that certain entities may offer and market, to a contractor in the electrical trade, a continuing education course offered by certain electrical trade organizations; and provides that certain entities may market, to a contractor in the plumbing trade, a continuing education course offered by certain plumbing trade organizations.

HB 171 (Anderegg)

(held in House Committee)

UTAH APPRENTICESHIP AUTHORIZATION ACT

Creates the Apprenticeship Executive Board within the Utah Department of Workforce Services (includes UCAT President or designee); provides duties for the Apprenticeship Executive Board; establishes a process for an employer to become a certified apprenticeship sponsor; and establishes a process and certain exemptions for a student entering into an apprenticeship agreement with a certified apprenticeship sponsor.

HB 262 (Coleman)

(held in House Committee)

CAMPUS ANTI-HARASSMENT ACT

Enacts requirements related to how an institution of higher education addresses discriminatory harassment; prohibits an institution of higher education from punishing certain acts of speech that do not constitute discriminatory harassment; creates causes of action related to discriminatory harassment at an institution of higher education; and enacts other provisions related to discriminatory harassment at an institution of higher education.

HB 336 (Christensen)

(held in Senate Committee)

ELECTRICIANS LICENSING AMENDMENTS

Modifies provisions related to the immediate supervision of an apprentice electrician.

HB 352 (Dunnigan)

Passed

COSMETOLOGY AMENDMENTS

Modifies provisions related to approved cosmetology apprenticeships; requires an apprentice to register with the Division of Occupational and Professional Licensing before beginning an approved apprenticeship; lowers the training hour requirements and modifies other requirements for obtaining certain instructor licenses.

HB 353 (Coleman)

(not considered after House 1st Reading)

INSTITUTIONS OF HIGHER EDUCATION DISCLOSURE PROVISIONS

With certain exceptions, requires an institution of higher education to disclose information regarding program completion and job placement for each program; and directs the Board of Regents to adopt rules for the implementation of disclosure requirements.

HB 357 (Anderegg)

(not considered by House Committee)

LONGITUDINAL DATA MANAGEMENT ACT

Establishes the Utah Data Commission; requires the State Board of Education, the State Board of Regents, the Utah Education and Telehealth Network, the Utah College of Applied Technology, and the Department of Workforce Services to contribute data to the Utah Longitudinal Database; directs the Utah Data Commission to: hire an executive director, and establish the Utah Longitudinal Database that contains de-identified data from participating state entities; directs the executive director to: hire data scientists, data technology experts, and data security experts; and accept requests from a state government official or a member of the public for a longitudinal data study using the data in the Utah Longitudinal Database; directs the Utah Data Commission to use the fees the commission collects for longitudinal data study requests to cover the commission's costs; and provides a procedure for an individual to remove the individual's information from the Utah Longitudinal Database.

HB 410 (Oda)

(not considered for Senate 2nd Reading)

MILITARY TUITION WAIVER AMENDMENTS

Amends provisions related to tuition waivers for members of the Utah National Guard.

SB 47 (Mayne)

(held in Senate Committee)

COLLEGE CREDIT FOR PUBLIC SAFETY OFFICERS

Requires the Peace Officers Standards and Training Division to provide certain information on credits to a person who completes basic training and passes a certification examination; defines terms; and requires certain institutions of higher education to award credit to a person who completes a law enforcement basic training course and passes a certification examination.

SB 56 (Vickers)

Passed

NURSE PRACTICE ACT AMENDMENTS

Requires a nursing education program to be accredited in order to qualify students to practice nursing in the state; and provides students of certain non-accredited nursing education programs time to graduate from the non-accredited program and qualify to practice nursing in the state.

SB 76 (Mayne)

Passed

WORKERS' COMPENSATION FOR VOLUNTEERS

Provides that volunteers (*including interns*) are not employees for purposes of workers' compensation unless the nongovernment entity for which the volunteer provides services elects to cover the volunteer with workers' compensation coverage; clarifies the application of the exclusive remedy; provides how disability compensation is to be determined; addresses how premiums are calculated; addresses affect of the failure or refusal of a nongovernment entity to elect workers' compensation coverage for volunteers; addresses insurance obtained by a volunteer; and addresses notice to volunteers.

SB 103 (Millner)

Passed

STRATEGIC WORKFORCE INVESTMENTS

Establishes a process and appropriates \$1,500,000 for investing strategically in workforce development through the development of stackable credentials.

SB 131 (Urquhart)

Passed

UTAH COLLEGE OF APPLIED TECHNOLOGY GOVERNANCE AMENDMENTS

Renames a Utah College of Applied Technology college campus an applied technology college; renames the president of the Utah College of Applied Technology the commissioner of technical education; amends the duties of the commissioner of technical education; amends provisions related to the membership of the Utah College of Applied Technology Board of Trustees; establishes a term limit for a member of the Utah College of Applied Technology Board of Trustees; amends provisions related to the appointment of an applied technology college president.

SB 148 (Weiler)

Passed

WORKFORCE SERVICES REVISIONS

Modifies the names of divisions within the Department of Workforce Services; creates the State Workforce Development Board and describes its membership and duties; makes the Department of Workforce Services' Code consistent with the federal Workforce Innovation and Opportunity Act; modifies background check provisions for certain child care providers; modifies the membership of the Utah Intergenerational Welfare Reform Commission.